

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION

Miriam Ellenburg,	)	C/A No.: 1:16-3120-BHH-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Nancy A. Berryhill, Acting	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	
	)	

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Defendant, Nancy A. Berryhill, Acting Commissioner of the Social Security Administration (“Commissioner”), by her attorneys, Beth Drake, United States Attorney, and Marshall Prince, Assistant United States Attorney for the District of South Carolina, has moved this court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings. [ECF No. 12]. The movant represents that Plaintiff’s counsel, Paul McChesney, consents to the motion. *Id.*

By order of the court, this case is remanded to the Appeals Council. The Appeals Council will direct the Administrative Law Judge (“ALJ”) to further develop of the record and to reevaluate Plaintiff’s disability claim.

Pursuant to the power of this court to enter a judgment affirming, modifying, or reversing the Commissioner’s decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner’s request for

remand of this action for further proceedings, this court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings as set out above. *See Shalala v. Schaefer*, 509 U.S. 292 (1993). The Clerk of Court is directed to enter a separate judgment pursuant to the Fed. R. Civ. P. 58.

IT IS SO ORDERED.



April 21, 2017  
Columbia, South Carolina

Shiva V. Hodges  
United States Magistrate Judge